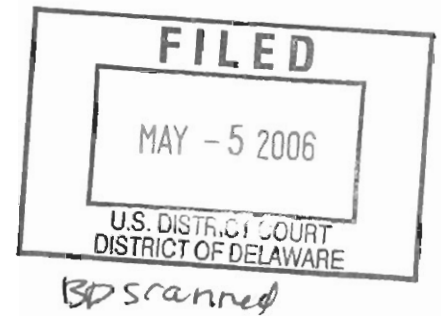


5-4-06

THE HONORABLE KENT A. JORDAN
UNITED STATES DISTRICT COURT
844 N. KING STREET, LOCK BOX 18
WILMINGTON, DE. 19801-3570



RE: AMENDMENT TO HAMMONS V. CARROLL, ET AL,
CIV. ACT. NO. ST 05-718-KAJ

DEAR JUDGE JORDAN,

AFTER HAVING A JAILHOUSE LAWYER
GO OVER THE FACTS OF MY CASE, I WAS ADVISED
TO REQUEST THAT THIS COURT ORDER THE STATE TO
ADDRESS THE MERITS OF MY FACTUAL INNOCENCE CLAIM
WHICH THEY FAILED TO DO IN THEIR ANSWER TO
MY HABEAS CORPUS PETITION. ALSO, IN THE EVENT
THAT THEY REFUSE TO DO SO, I RESPECTFULLY
REQUEST THAT THEY BE FORCED TO DO SO AT AN
EVIDENTIARY HEARING.

ACCORDING TO RULE #5 OF 28 USC. 2254 THE
STATE MUST RESPOND TO THE ALLEGATIONS OF THE
PETITION. THIS HOWEVER WAS NOT DONE. THE
STATE TOTALLY IGNORED THE FACTS ALLEGED IN MY
FACTUAL INNOCENCE CLAIM, AND, ACCORDING TO THE
RULES GOVERNING HABEAS CORPUS, THEY MUST BE MADE
TO DO SO. (SEE ALSO WALKER V. JOHNSTON

61 Sct. 574; and Waley v. Johnson, 62 Sct. 964.)

FOR THE REASONS ADVANCED HEREIN, I AM
RESPECTFULLY REQUESTING THAT THIS HONORABLE COURT
COMPEL THE STATE TO COMPLY FULLY WITH RULE
#5 OF 28 USC 2254, AND ADDRESS THE
ALLEGATIONS OF MY FACTUAL INNOCENCE CLAIM.

Respectfully Submitted,

William J. Hammas
#166139

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04 MAY 2006 PM 11



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